

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anders LEHMANN et al.
Title: USE OF MGLUR5 ANTAGONISTS FOR THE
TREATMENT OF GERD
Int'l. Appl. No.: PCT/US2003/016223
Int'l. Filing Date: June 19, 2003
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of the document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

The document being cited in the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding international application. A copy of the International Search Report is attached setting forth the portion of the document considered relevant by the examiner. A copy of the document cited in the Search Report is not being submitted herewith.

Applicants respectfully request that the listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 16 December 2004

By Stephen A. Bent

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: December 14, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known Application Number: Unassigned Filing Date: December 14, 2004 First Named Inventor: Anders LEHMANN Group Art Unit: Unassigned Examiner Name: Unassigned Attorney Docket Number: 085747-0348	
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6 117 908 A		Paul L. R. ANDREWS et al.	9/12/2000	
	A2	5 036 057 A		Christopher J. MARTIN	7/30/1991	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A3		WO 01 12627 A		SLASSI ABDELMALIK et al.	2/22/2001		
	A4		WO 99 59612 A		APHTON CORP. et al.	11/25/1999		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A5	International Search Report	
	A6	GASPARINI F et al., "2-METHYL-6-(PHENYLETHYNYL)-PYRIDINE (MPEP), A POTENT, SELECTIVE AND SYSTEMICALLY ACTIVE MGLU5 RECEPTOR ANTAGONIST", Neuropharmacology, Pergamon Press, Oxford, GB, vol. 38, no. 10, October 1999, pp. 1493-1503, XP001032948 ISSN: 0028-3908.	
	A7	KNÖPFEL T et al., "Metabotropic Glutamate Receptors: Novel Targets for Drug Development" Journal of Medicinal Chemistry, American Chemical Society, Washington, US, vol. 38, no. 9, 4/28/1995, pp. 1417-1426; XP000611483 ISSN: 0022-2623.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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